

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:23-cv-00096-KDB-SCR

CHAD JAMES EMKE, )  
                          )  
                          )  
Plaintiff,            )  
                          )  
                          )  
vs.                    )  
                          )  
                          )  
STATE OF NORTH CAROLINA, et al., )  
                          )  
                          )  
Defendants.            )  
                          )  
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**ORDER**

**THIS MATTER** is before the Court on review of the docket in this matter.

Pro se Plaintiff Chad James Emke (“Plaintiff”) filed this action on June 20, 2023, pursuant to 42 U.S.C. § 1983. [Doc. 1]. The Court conducted initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 5]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from July 6, 2023, to amend his Complaint in accordance with the terms of the Court’s Order. [Id.]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 5-6].

The deadline has passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

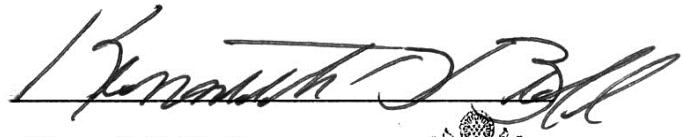
**ORDER**

**IT IS, THEREFORE, ORDERED** that Plaintiff’s Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

**IT IS SO ORDERED.**

Signed: August 28, 2023



Kenneth D. Bell  
United States District Judge

